

Appeals Board Member Gary M. Korte finds no basis for a finding of any conflict of interest or prejudice that would affect the rights or interests of any party to this action and

accordingly does not disqualify himself.

The Appeals Board finds that the decision regarding withdrawal in this matter is a personal decision to be made by Appeals Board Member Gary M. Korte. The Appeals Board does not have jurisdiction to decide this issue.

**WHEREFORE**, it is the finding, decision and order of the Appeals Board that the motion by Diane F. Barger, attorney for the claimant, for Appeals Board Member Gary M. Korte to withdraw from this matter and for the appointment a Member Pro Tem in his place should be and is hereby denied.

**IT IS SO ORDERED.**

Dated this \_\_\_\_\_ day of February, 1994.

\_\_\_\_\_  
BOARD MEMBER

\_\_\_\_\_  
BOARD MEMBER

\_\_\_\_\_  
BOARD MEMBER

\_\_\_\_\_  
BOARD MEMBER

\_\_\_\_\_  
BOARD MEMBER

cc: Diane F. Barger, P.O. Box 626, Emporia, Kansas 66801  
John G. Atherton, P.O. Box 624, Emporia, Kansas 66801  
John A. Bausch, P.O. Box 2217, Topeka, Kansas 66601  
George Gomez, Director